

SCHEDULES

SCHEDULE 8

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 12

AMENDMENTS FOR PURPOSES CONNECTED WITH OTHER TAX LAW REWRITE ACTS

Solicitors (Northern Ireland) Order 1976 (S.I. 1976/582 (N.I. 12))

- 287 The Solicitors (Northern Ireland) Order 1976 is amended as follows.
- 288 In paragraph 38(3) of Schedule 1A for the words from the beginning to “1988” substitute “In sections 748(4), 749 and 771(5) and (6) of the Income Tax Act 2007”.

Administration of Justice Act 1985 (c. 61)

- 289 The Administration of Justice Act 1985 is amended as follows.
- 290 In paragraph 36(3) of Schedule 2 for “749,” substitute “748(4), 749 and”.

Income and Corporation Taxes Act 1988 (c. 1)

- 291 ICTA is amended as follows.
- 292 Omit section 59(3) and (4) (person answerable for tax charged in accordance with section 12 of ITTOIA 2005 on profits of markets or fairs, or on tolls, fisheries or other profits not distrainable).

Broadcasting Act 1996 (c. 55)

- 293 The Broadcasting Act 1996 is amended as follows.
- 294 (1) Amend paragraph 19 of Schedule 7 (no profit or loss by reason of a direct disposal transfer) as follows.
- (2) For the words from the beginning of the paragraph to “accrue to the BBC” substitute “In determining for the purposes of Part 3 of the Corporation Tax Act 2009 the profits or losses of a trade or part of a trade carried on by the BBC wholly or partly in the United Kingdom, it is to be assumed that no profits or losses arise to the BBC”.
- (3) In sub-paragraph (a) for “section 100 of the Taxes Act 1988” substitute “section 163 of the Corporation Tax Act 2009”.
- (4) In the italic heading preceding the paragraph for “Case I of Schedule D” substitute “Part 3 of the Corporation Tax Act 2009”.

Status: This is the original version (as it was originally enacted).

Greater London Authority Act 1999 (c. 29)

- 295 The Greater London Authority Act 1999 is amended as follows.
- 296 In paragraph 7 of Schedule 33 (taxation provisions: revenue nature of payments under public-private partnership agreements)—
- (a) in sub-paragraph (a) for “Case I of Schedule D” substitute “Part 3 of the Corporation Tax Act 2009”, and
 - (b) in sub-paragraph (b) for “Case I of Schedule D” substitute “Part 3 of the Corporation Tax Act 2009”.

Income Tax (Earnings and Pensions) Act 2003 (c. 1)

- 297 ITEPA 2003 is amended as follows.
- 298 In section 211(2) (which refers to section 215, which in turn now refers to section 776(1) of ITTOIA 2005 in place of section 331(1) of ICTA) for “section 331 of ICTA” substitute “section 776(1) of ITTOIA 2005”.
- 299 In section 215 (which now refers to section 776(1) of ITTOIA 2005 in place of section 331(1) of ICTA) in the title for “section 331 of ICTA” substitute “section 776(1) of ITTOIA 2005”.
- 300 In section 331(1) (Part 5 is to be read with section 835(3) and (4) of ICTA) for “section 835(3) and (4) of ICTA” substitute “section 25(1) to (3) of ITA 2007”.

Finance Act 2004 (c. 12)

- 301 FA 2004 is amended as follows.
- 302 (1) Amend section 318 (interpretation of Part 7) as follows.
- (2) In subsection (1)—
- (a) after the definition of “arrangements” insert—
 - ““company” has the meaning given by section 1121 of the Corporation Tax Act 2010;”, and
 - (b) after the definition of “tax” insert—
 - ““trade” includes every venture in the nature of trade.”
- (3) Omit subsection (2).

Finance Act 2005 (c. 7)

- 303 FA 2005 is amended as follows.
- 304 Omit section 48B(6) to (8) (alternative finance arrangements: alternative finance investment bonds).
- 305 In Schedule 2 (alternative finance arrangements: further provisions) omit paragraph 9.

Income Tax Act 2007 (c. 3)

- 306 ITA 2007 is amended as follows.
- 307 In section 887(4) (industrial and provident society payments) for “section 486(7) of ICTA” substitute “section 500(2) of CTA 2009”.

Corporation Tax Act 2009 (c. 4)

308 CTA 2009 is amended as follows.

309 Before section 1 insert—

“A1 Overview of the Corporation Tax Acts

- (1) The main Acts relating to corporation tax are—
- (a) this Act (which covers the ground described in section 1),
 - (b) CTA 2010 (which covers the ground described in section 1 of that Act), and
 - (c) TCGA 1992 (so far as relating to chargeable gains accruing to a company in respect of which the company is chargeable to corporation tax).

- (2) Enactments relating to corporation tax are also contained in other Acts: see in particular—

- (a) Chapter 1 of Part 12 of ICTA (insurance companies),
- (b) Chapter 4 of Part 17 of that Act (controlled foreign companies),
- (c) Schedule 18 to FA 1998 (company tax returns, assessments and related matters),
- (d) Schedule 22 to FA 2000 (tonnage tax),
- (e) CAA 2001 (allowances for capital expenditure),
- (f) Part 2 of TIOPA 2010 (double taxation relief),
- (g) Parts 4 and 5 of that Act (transfer pricing and advance pricing agreements),
- (h) Part 6 of that Act (tax arbitrage),
- (i) Part 7 of that Act (tax treatment of financing costs and income), and
- (j) Part 8 of that Act (offshore funds).

- (3) Schedule 1 to the Interpretation Act 1978 defines “the Corporation Tax Acts” as the enactments relating to the taxation of the income and chargeable gains of companies and of company distributions (including provisions relating to income tax).”

310 In section 39(2) (profits of mines, quarries and other concerns) for “clause” substitute “section”.

311 In section 1269 (interpretation of sections 1267 and 1268) in the title for “clauses” substitute “sections”.

312 In paragraph 75 of Schedule 2 (transitional provision and savings: investment bond arrangements) at the end insert—

“(5) So far as section 519(2) has effect for income tax or capital gains tax purposes in relation to the disposal after 6 April 2007 of investment bond arrangements (whenever entered into), it is treated as always having had effect.”